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Attorney for: Defendant Miguel A. Rivera, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 06-00444 PVT
)	
Plaintiff,)	JOINT STIPULATION AND
)	[PROPOSED] ORDER VACATING
vs.)	HEARING DATE AND EXCLUDING
)	TIME UNDER THE SPEEDY TRIAL
)	ACT, 18 U.S.C. SECTION 3161
MIGUEL A. RIVERA, Jr.,)	
)	
)	
Defendant)	
)	

The United States of America, by Capt. Amy Nelson, Special Assistant United States Attorney, and the defendant in the above case, by and through his attorney Peter A. Leeming, hereby enter into this joint stipulation.

The parties stipulate, and ask the Court to adopt as its FINDINGS that:

1. This case is currently set for a Hearing on Mr. Rivera's Motion to Suppress Evidence on Thursday, March 15, 2007.

1 The matter has been continued in order for the parties to discuss
2 resolution of the matter, and to allow both parties additional
3 time to prepare for the motion hearing, if necessary.

4 2. Both parties have engaged in settlement discussions,
5 and a proposed settlement has been reached. Counsel for the
6 government needs additional time for the proposed settlement to
7 be reviewed by her office.

8 3. Both parties therefore request that the hearing set for
9 March 15, 2007 be vacated, and a new date of April 4, 2007 be
10 set, for the reasons set forth above. [18 U.S.C. Sect.
11 3161(h)(B)(4).]

12 4. The parties therefore agree to and request:

13 1. That the current hearing on the defense motion to
14 suppress evidence be vacated;

15 2. That a new motion hearing be set for April 4, 2007 at
16 1:30 P. M., and

17 3. That an exclusion of time is appropriate and necessary
18 under Title 18, United States Code, Section 3161(h)(8)(B)(4),
19 because the ends of justice served by this continuance outweigh
20 the best interest of the public and the defendant in a speedy
21 trial.
22

23
24
25
26
27 IT IS SO STIPULATED

28 Dated: 3/14/07

By: _____/S/_____

Capt. Amy Nelson, Special
Assistant United States
Attorney

Dated: 3/14/07

By: _____/S/_____
PETER A. LEEMING, attorney
for Miguel A. Rivera

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) No. CR 06-00444 PVT
)
Plaintiff,) ~~[PROPOSED]~~ ORDER VACATING
) PRELIMINARY HEARING DATE AND
vs.) EXCLUDING TIME UNDER THE
) SPEEDY TRIAL ACT, 18 U.S.C.
) SECTION 3161
MIGUEL A. RIVERA, Jr.,)
)
)
Defendant)

ORDER

For the reasons stated in the above Stipulation, the Court finds that that currently set hearing date of March 15, 2007 should be should be changed to April 5, 2007 at 1:30 P. M.

IT IS SO ORDERED.

Dated: March 14, 2007



U. S. Magistrate Judge
PATRICIA V. TRUMBULL